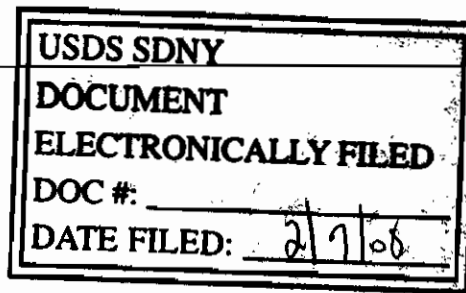




United States Attorney
Southern District of New York



The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

February 6, 2008

By Fax

Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street
New York, N.Y. 10007

2/7/08
granted

Re: United States v. Smith and Taylor
07 Cr. 972

Dear Judge McMahon:

On Monday, February 4, 2008, Your Honor adjourned a pre-trial conference scheduled for that day and re-set the conference for March 3, 2008, at 9:30. The Government writes, with the consent of defendant Taylor, to request that the time between today and the conference date be excluded from the Speedy Trial clock to permit the parties to continue discussions of a possible resolution of the case. The Government respectfully submits that the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8)(A).

Defendant Smith, who had been excused from appearing at the February 4 conference, pled guilty that same day before Magistrate Judge Eaton. The Government will forward to Your Honor the transcript of the plea allocation when it is received, along with a proposed order accepting Smith's plea.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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Assistant United States Attorney
(212) 637-1110

cc (by fax): Murray Richman, Esq.